

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

EMIGDIO SAUCEDA-MACIAS, *et al.*,

Defendants.

No. CR14-200 RAJ

ORDER CONTINUING MOTIONS
DEADLINE AND TRIAL DATE

THIS MATTER comes before the Court upon the joint motion to continue the trial date of the government and Defendants Emigdio Saucedo-Macias, Agapito Cota-Algandar, Jonathan Morales-Hernandez, Marciela Villarreal, Ricardo Valdivia, Wilder Cortave, and Erika Felix-Medina (Dkt. #85) and the separate motion to continue trial date brought by Defendant Leak Sreng Ngor (Dkt. #98). Having considered the entirety of the records and file herein, and having heard from the government and counsel for Defendant Leak Sreng Ngor at a hearing on this date, and based on the facts set forth in the declaration filed in support of the motion, the Court finds as follows:

1. That failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii) and (iv);

2. That the case is complex due to the number of defendants and/or the nature of the prosecution such that it is unreasonable to expect adequate preparation within the time limits specified within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii);
3. That failure to grant such a continuance in the proceeding would be likely to make a continuation of such proceeding impossible and result in a miscarriage of justice; and
4. That the ends of justice will be served by ordering a continuance in the case, that a continuance is necessary to ensure effective trial preparation, and that these factors outweigh the best interests of the public in a speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7)(A).

THEREFORE, the Court rules as follows:

GOOD CAUSE HAVING BEEN SHOWN, the joint motion to continue the trial date of the government and Defendants Emigdio Saucedo-Macias, Agapito Cota-Algandar, Jonathan Morales-Hernandez, Marciela Villarreal, Ricardo Valdivia, Wilder Cortave, and Erika Felix-Medina to June 1, 2015 (Dkt. #85) is GRANTED and the separate motion to continue trial date brought by Defendant Leak Sreng Ngor to November or December, 2014 (Dkt. #98) is DENIED.

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1 The trial date as to all defendants is continued from September 15, 2014 to
2 June 1, 2015 at 9:00 a.m. All pretrial motions, including motions in limine, shall be filed
3 no later than March 19, 2015.

4 IT IS FURTHER ORDERED that the period of time from the date of this Order to
5 the new trial date of June 1, 2015, is excluded under the Speedy Trial Act, 18 U.S.C. §§
6 3161 *et seq.*

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8 DATED this 12th day of September, 2014.

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11 The Honorable Richard A. Jones
12 United States District Judge
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